

# MMI4U Fitness to Practise Dental Nurses & Allied Health



# Why you need MMI4U Fitness to Practise Dental Nurses & Allied Health

Our MMI4U Fitness to Practise Dental Nurses & Allied Health cover will provide legal and financial support if you find yourself appearing before your professional regulator facing allegations of professional misconduct. Our specialist cover also includes defending a prosecution that arises from a road traffic or work-related offence, employment disputes such as unfair dismissal or redundancy and an investigation by HMRC into your personal tax affairs.

## Medicolegal advice helpline

Specialist advice on all aspects of medical law, including clinical negligence claims, complaints procedures, GMC and NHS disciplinary procedures.



### Legal advice and tax helplines

You can call our legal advice helpline and get immediate advice on all legal problems affecting your business 24 hours a day, 365 days a year. You can also obtain tax-related advice from our tax helpline or use our counselling assistance helpline which is available to your employees and their families.

## Consumer legal services website

Your policy unlocks free access to our Consumer legal services website, where you can find our extensive law guide and download helpful legal documents. Consumer legal services offers a wide range of documents from letters of complaints and refund requests to Powers of attorney and Wills.

## Counselling assistance

Qualified counsellors will provide confidential support and advice by phone to you or your family members who are suffering from emotional upset or feeling worried and anxious about a personal or work-related problem.



## What we cover

We can help you with:

- formal complaints and regulatory investigations
- professional disciplinary and fitness to practise hearings
- regulatory appeals
- representation for police investigations and prosecutions
- employment disputes
- loss of earnings
- tax disputes.

## Why choose ARAG?

We are part of ARAG SE, the largest family-owned enterprise in the German insurance industry. Founded in 1935, on the principle that every citizen should be able to assert their legal rights, ARAG now employs 4,000 people around the world and generates premium income of more than €1.8 billion. Our UK operation provides a nationwide service from our Bristol Head Office. We provide innovative and affordable products to companies and their directors and partners.

We are committed to providing our customers with legal advice and representation throughout a legal problem. We recognise that we will only grow by ensuring that we provide excellent products and an outstanding service to our customers.

# Your **cover**



## What is covered?

The summary table on pages 6 and 7 provides all the information that you need to consider before deciding whether to buy this cover but the information below will also help you. If you require full details of our policy terms and conditions please ask to see a policy wording.

### Regulatory protection

We will respond if you receive formal notice from your regulatory body that a complaint has been brought against you which raises doubts about your fitness to practise. We can help if you receive notice from your regulators that they will investigate your conduct and will provide assistance if you must attend a fitness to practise hearing. We will represent you to appeal against your regulatory body should they decide to suspend, impose restrictions or terminate your professional registration.

### Legal defence

The insurer will pay the legal costs to defend you throughout a criminal investigation or prosecution, including motoring offences.

### Employment disputes

The insurer will pay the legal costs of pursuing a claim against your current, former or a prospective employer if you have been unfairly treated at work or where there has been a breach of your contractual rights.

### Loss of earnings

The insurer will pay salary or wages for time that is lost due to your absence from work to attend court, tribunal, a fitness to practise, regulatory or disciplinary hearing at the request of the lawyer acting for you under the policy or to perform jury service.

### Tax disputes

Our tax advisors will represent you if HMRC investigate your personal tax affairs.

*Expertise when you need it most.*





# Examples of when we can help

## Employment

Our insured found out that one of her male colleagues was on a higher wage than her even though was more experienced and had more expertise. She submitted a grievance for equal pay. Whilst this was being investigated, the company suffered a downturn in work and made our insured redundant. She felt she was unfairly selected and, in her opinion, was being made redundant due to her grievance.

Our insured contacted us to make a claim. We confirmed cover and appointed a specialist solicitor to act. Prior to the hearing at the Employment Tribunal, and after extensive correspondence, the former employer agreed to settle for £20,000 plus a good reference. ARAG paid the solicitor's fees of £1,500.

## Tax disputes

Our insured received a letter from HMRC stating that they intended to make an enquiry into our insured's personal tax return for the previous year. Our insured contacted us and we appointed a tax consultant to represent him and negotiate on his behalf. After extensive investigation, HMRC confirmed that the tax return was in order with appropriate tax paid. We settled the tax consultant's invoice for £3,500.



*It has always been our vision to enable everyone, not just those who can afford it, to assert their legal rights.*

# Important information

## Important conditions

You must always contact us first before appointing a solicitor or accountant to act for you. If you fail to do this you may prejudice your position and the insurer will not pay costs that they would not have agreed to pay under the terms of your policy.

When we receive your claim, we will have it assessed for reasonable prospects of success. Provided that the event is covered by the policy and your claim is more likely than not to succeed, we will help you under the terms of your policy.

We will recommend mediation to resolve your dispute where appropriate or we will appoint a solicitor, accountant or other suitable expert to act for you from our nationwide panel of specialist firms. The members of our panel are carefully selected based on their expertise and work under strict service standards. They are also audited regularly to ensure they provide the best possible service to our customers.

## What happens if I change my mind after taking out the policy?

The policy provides you with a 14-day reflection period in which to decide whether you wish to continue. Cancellation is fully explained in Condition 9 of the policy wording.

## What happens if the insurer cannot meet its liabilities?

We have an agreement with AmTrust Europe Limited to provide the insurance under MMI4U Fitness to Practise Dental Nurses & Allied Health. They are covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation of up to 90% of the cost of your claim in the unlikely event that the insurer cannot meet its obligations. Further information about compensation scheme arrangements is available at [www.fscs.org.uk](http://www.fscs.org.uk).

The tables on the next page show a summary of cover. For full terms and conditions of the policy, please read the policy wording.

## Claims procedure

### Telling us about your claim

- 1) Under no circumstances should you instruct your own solicitor or accountant as the insurer will not pay any costs incurred without our agreement.
- 2) If an insured instructs their own solicitor or accountant without telling us, they will be liable for costs that are not covered by this policy.
- 3) A claim form can be downloaded at [www.arag.co.uk/newclaims](http://www.arag.co.uk/newclaims) or requested by telephoning us on **0117 917 1698** between 9am and 5pm weekdays (except bank holidays).
- 4) The completed claim form and supporting documentation can be sent to us by email, post or fax. Further details are set out in the claim form itself.

### What happens next?

- 1) We will send the insured a written acknowledgment by the end of the next working day after receiving their claim form.
- 2) Within five working days of receiving all the information needed to assess the availability of cover under the policy, we will write to the insured either:
  - a) confirming cover under the terms of your policy and advising the insured of the next steps to progress their claim; or
  - b) if the claim is not covered, we will explain in full the reason why and advise whether we can assist in another way.
- 3) When a representative is appointed they will try to resolve the insured's dispute without delay, arranging mediation whenever appropriate.
- 4) We will check on the progress of the insured's claim with the appointed advisor from time to time. Sometimes matters cannot be resolved quickly, particularly if the other side is slow to cooperate or a legal timetable is decided by the courts.

## Summary Table

Significant features & benefits	Significant exclusions or limitations
The insurer will pay legal costs & expenses up to the sum shown in your policy schedule or as otherwise stated in the policy including the cost of appeals for the following:	<ul style="list-style-type: none"> <li>You must report your claim during the period of insurance and as soon as you become aware of the circumstances that could lead to a claim.</li> <li>Unless there is a conflict of interest we will choose an appointed advisor until proceedings have been or need to be issued.</li> <li>Legal costs &amp; expenses incurred before we accept a claim are not covered under the policy.</li> <li>Where you choose to use your own representative, the insurer will not pay more than we agree to pay a solicitor from our panel.</li> </ul>
<b>1 Regulatory protection</b> Disputes between you and your regulatory body including: <ul style="list-style-type: none"> <li>responding to an official complaint</li> <li>regulatory investigations</li> <li>disciplinary and fitness to practice hearings</li> <li>regulatory appeals or loss of registration.</li> </ul>	<ul style="list-style-type: none"> <li>The maximum the insurer will pay for all complaints brought by or on behalf of the same patient is £1,000.</li> <li>A routine inspection by a regulatory authority is excluded.</li> </ul>
<b>2 Legal defence</b> We will defend you in a criminal investigation and prosecution where you have committed an offence <ul style="list-style-type: none"> <li>in the course of your professional practise</li> <li>in a personal capacity where this impairs your fitness to practise</li> <li>involving a motor vehicle.</li> </ul>	Any claim relating to a parking offence is excluded.
<b>3 Employment</b> A dispute with a current, former or prospective employer relating to an insured's contract of employment or related legal rights.	<ul style="list-style-type: none"> <li>The costs incurred in preparing for an internal disciplinary hearing, grievance or appeal are excluded.</li> <li>Claims relating to an insured's employer or ex-employer's pension scheme are excluded.</li> </ul>
<b>4 Loss of earnings</b> We will pay lost salary or wages if you must attend court, tribunal, a regulatory investigation or disciplinary hearing at the request of the appointed advisor or if you are required to perform jury service.	<ul style="list-style-type: none"> <li>The maximum the insurer will pay is £1,000.</li> <li>Claims where another party agrees to repay your salary or when you can recover lost salary from the court, tribunal or other party are excluded.</li> </ul>
<b>5 Tax disputes</b> A formal enquiry into your personal tax affairs.	The policy excludes any claims relating to: <ul style="list-style-type: none"> <li>late or careless tax returns</li> <li>investigations by the Fraud Investigation Service of HMRC</li> <li>circumstances where the Disclosure of Tax Avoidance Scheme Regulations apply</li> <li>enquiries concerning assets, money or wealth outside of the United Kingdom.</li> </ul>

Significant features & benefits	Significant exclusions or limitations
<b>Medicolegal advice</b> Specialist advice on all aspects of medical law, including clinical negligence claims, complaints procedures, GMC and NHS disciplinary procedures.	
<b>Legal &amp; tax advice helpline</b> Access by telephone to legal and tax experts for UK and EU-wide legal advice and UK tax advice.	<ul style="list-style-type: none"> <li>• Advice will not be put in writing.</li> <li>• Advice is restricted to personal legal matters.</li> <li>• Advice on UK tax law is available Monday to Friday between 9am and 5pm (except bank holidays).</li> <li>• We cannot advise on financial planning or financial services products.</li> <li>• Services are subject to fair and reasonable use.</li> </ul>
<b>Counselling assistance</b> Free confidential support from qualified counsellors for you or your family members.	
<b>Consumer legal services website</b> Register using your voucher code to download legal documents that can assist with day-to-day legal issues.	<ul style="list-style-type: none"> <li>• Documents are restricted to personal legal matters.</li> <li>• Some documents only apply for England &amp; Wales.</li> </ul>
<b>Territorial limit</b> The UK, Isle of Man and Channel Islands.	
<b>Period of insurance</b> Unless otherwise agreed the period of insurance shall be for 12 months.	
<b>Legal costs &amp; expenses</b> <ul style="list-style-type: none"> <li>• Reasonable costs incurred by the appointed advisor.</li> <li>• The other side's legal costs.</li> <li>• Reasonable accountancy fees incurred in relation to Tax disputes cover.</li> <li>• Basic wages and salary in respect of Loss of earnings cover.</li> </ul>	

## How we handle complaints

### Step 1

ARAG is committed to providing a first class service at all times. However, if a complaint arises, this should be addressed to our Customer Relations Department who will arrange to have it reviewed at the appropriate level. We can be reached in the following ways:



**0117 917 1561** (hours of operation are 9am-5pm, Mondays to Fridays excluding bank holidays. For our mutual protection and training purposes, calls may be recorded).



**customerrelations@arag.co.uk**



**ARAG plc, 9 Whiteladies Road, Clifton, Bristol, BS8 1NN.**

### Step 2

If we are not able to resolve the complaint to your satisfaction, then you can refer it to the Financial Ombudsman Service (FOS) provided that it falls within their jurisdiction. From 1 April 2019 the FOS will normally deal with complaints from small business with an annual turnover of less than £6.5million and which either; have up to 50 employees, or a balance sheet threshold of £5million. They can be contacted at



**0800 023 4567 or 0300 1239 123**



**complaint.info@financial-ombudsman.org.uk**



**Financial Ombudsman Service, Exchange Tower, London, E14 9SR.**

The FOS is an independent service in the UK for settling disputes between consumers and businesses providing financial services. You can find more information on the Financial Ombudsman Service at [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

The FOS's decision is binding upon the insurer, but you are free to reject it without affecting your legal rights.